

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

K.A., a minor, by and through her next
friend and guardian, Lisa Adams, *et al.*,
individually and as representatives
of a proposed class,

Plaintiffs,

v.

JEFF HOBBY, Sheriff of Worth
County, Georgia, in his individual
capacity, *et al.*,

Defendants.

CIVIL ACTION NO.:
1:17-cv-00099-LJA

NOTICE OF FUNDING DISCREPANCY

Class counsel hereby notify the Court that, likely due to a failure to account for cents or fractions of cents in establishing the per-student distribution amounts, the amount paid as ordered by ACCG-IRMA for the Total Class Distribution of \$2,121,345.00 is \$83.10 less than the amount required to fully fund the individual settlement payments to class members as provided for in the parties' Agreement and the Court's Order. (Doc. 60.) In order to ensure that the class is not prejudiced in any way, class counsel will, by no later than February 28, 2019, deposit the amount of the discrepancy -- \$83.10 -- into the trust account established

for purposes of award payment in this case. These funds will be drawn from and will concomitantly reduce class counsel's attorney's fee award. Assuming that at least one settlement check remains uncashed and is therefore forfeited according to the terms of the Court's Order, the \$83.10 from class counsel will be deposited, along with any other unclaimed funds, into the *Cy Pres* Fund established by ACCG-IRMA. In no case will these discrepancy funds be withdrawn and returned to class counsel.

Class counsel has been authorized by counsel for Defendants to inform the Court that Defendants have no objection to the arrangement described above.

Respectfully submitted this 15th day of February, 2019.

/s/ Mark Begnaud
Mark Begnaud
Ga. Bar No. 217641
Nathanael Horsley
Ga. Bar No. 367832
HORSLEY BEGNAUD LLC
750 Hammond Drive
Building 12, Suite 300
Atlanta, Georgia 30328
(770) 765-5559
(404) 602-0018 (fax)
mbegnaud@gacivilrights.com

/s/ Aaron Littman
Sarah Geraghty
Ga. Bar No. 291393
Gerald Weber
Ga. Bar No. 744878
Aaron Littman
Ga. Bar No. 843053
SOUTHERN CENTER
FOR HUMAN RIGHTS
83 Poplar Street, NW
Atlanta, Georgia 30303
(404) 688-1202
(404) 688-9440 (fax)
sgeraghty@schr.org

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this date I have electronically filed the foregoing NOTICE OF FUNDING DISCREPANCY using the CM/ECF electronic filing system, which will automatically send notification of such filing to all attorneys of record.

This 15th day of February, 2019.

/s/ Mark Begnaud
Mark Begnaud
Ga. Bar No. 217641
HORSLEY BEGNAUD LLC
750 Hammond Drive
Building 12, Suite 300
Atlanta, Georgia 30328
(770) 765-5559
(404) 602-0018 (fax)
mbegnaud@gacivilrights.com

Counsel for Plaintiffs